

Application no. CH/2010/0192/FA

CHILTERN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (General Permitted Development) Order 1995

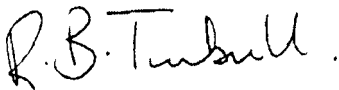
In pursuance of their powers under the above-mentioned Act and Order, Chiltern District Council, as Local Planning Authority, **HEREBY PERMITS** the following:

Proposal: Continued use of land for the stationing of caravans for residential purposes for six Gypsy pitches together with the conversion of an existing stable block to provide dayrooms, retention of fencing and hardstanding and provision of additional hardstanding and fencing (including bin store), small sewerage plant, site entrance gates and walls, and landscaping

Location: Three Oaks Farm, Roberts Lane, Chalfont St Peter, Buckinghamshire

For: Mr Delaney

in accordance with your application received on **14.06.2010** and the plans and particulars accompanying it subject to the following conditions and reasons set out on the following page(s).



Richard Turnbull
Development Control Manager
On behalf of the Council

Date: 9 February 2011

Green Planning Solutions
Mr Matthew Green
Unit D
Lunesdale
Upton Magna Business Park
Shrewsbury
Shropshire
SY4 4TT

SCHEDULE OF CONDITIONS AND REASONS RELATING TO THIS PERMISSION

1 The use hereby permitted shall be carried on only by the following, and their resident dependants: Patrick Delaney Senior, John Brian, Bill Delaney, Barbara Delaney, Jim Delaney, Jacqueline Delaney, Ann Delaney, Michael Delaney, Margaret Delaney, Patrick Delaney and Kathleen Delaney. Upon the cessation of the use of the site by the said named persons, the use hereby permitted shall cease, all materials and equipment brought on to the land in connection with the use shall be removed, and the land restored to its former condition within 3 months.

Reason: The development the subject of this application is considered to be inappropriate development in the Green Belt, resulting in overall harm to the Green Belt and additional harm to the openness of the Green Belt and to the Colne Valley Park. However it is considered that there are very special circumstances in terms of the general lack of sufficient sites for Gypsies and Travellers within the area and the particular needs of the family in terms of the educational and health needs of the children that outweigh this harm and therefore justify permission being granted personal to the current occupants of the site.

2 No more than twelve caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than six shall be a static caravan or mobile home) shall be stationed on the site at any time. All caravans shall be capable of being towed on the public highway in accordance with the relevant highways act legislation without division into separate parts. Within three months of the date of this permission, the said caravans shall only be stationed within the area of "proposed hard-standing" shown cross hatched, in accordance with details shown the approved plans 06_024_004 B 1:1000 received on 18 November 2010 and 06_024_003 C 1:500 received on 18 November 2010, unless the local planning authority give prior written approval to any variation.

Reason: Having regard to the applicant's personal circumstances and to minimise the impact of the development on the visual amenity and rural character of the area having regard to the location of the site within the Green Belt and Colne Valley Park.

3 No commercial activities shall take place on the site, including the open storage of materials. All materials shall be stored within the barn.

Reason: Having regard to the applicant's personal circumstances and to ensure that the development does not detract from the visual amenity and rural character of the area having regard to the location of the site within the Green Belt and Colne Valley Park.

4 No more than 10 motor vehicles, of which no more than 4 shall be commercial vehicles, shall be stationed, parked or stored on the site. No more than 2 of the commercial vehicles shall exceed 3.5 tonnes gross weight. No vehicles shall be parked on the area between Roberts Lane and the barn.

Reason: To ensure that the development does not detract from the visual amenity and rural character of the area having regard to the location of the site within the Green Belt and Colne Valley Park.

5 The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 3 months of the date of failure to meet any one of the requirements set out below:

i) Within 1 month of the grant of this permission details of the off site highway works to provide a bound, hard-surface material on the 4 passing places as shown on plan no. SK-01 Rev A shall be submitted to the Local Planning Authority for approval of the Local Planning Authority. Within 3 months of the written approval of the plans, the off site works should be laid out and constructed in accordance with the approved details..

ii) within 3 months of the dates of this decision, a scheme for hard and soft landscaping shall have been submitted for the written approval of the local planning authority and the said scheme shall include a timetable for it's implementation and a schedule for its maintenance for a period of 5 years. For the avoidance Any plant that is removed, uprooted or destroyed or dies, or in the opinion of the local planning authority, becomes seriously damaged or defective, shall be replaced with another of the same species and size as that originally planted. The planting shall be carried out in accordance with the agreed timetable.

iii) Within 3 months of the date of this decision, the gates and walls at the entrance of the site shall be altered so that they accord with the details as shown on approved plan reference 06_024_010 C which was received by the local planning authority on the 6th May 2010

Reason: To ensure that the development does not detract from the visual amenity and rural character of the area having regard to the location of the site within the Green Belt and Colne Valley Park.

6 The use hereby permitted shall cease unless visibility splays are maintained along both sides of the access between a point 2.4m along the centre line of the access measured from the edge of the carriageway, and a point 43, along the centre line of the carriageway, measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6m in height above the nearside channel level of the carriageway.

Reason: To ensure that there is no detrimental or adverse impact on highway safety

7 The development shall be carried out in accordance with the the details set out in the following drawings / documents

Drawing No.(s): 06 024 006 received on 12 February 2010, **06 024 008** received on 12 February 2010, **06 024 011** received on 12 February 2010, **06 024 001B** received on 4 June 2010, **06 024 002B** received on 4 June 2010, **09 024 005 1 A** received on 4 June 2010, **09 024 005 2 A** received on 4 June 2010, **06 024 010C** received on 6 May 2010, **06 024 011** received on 6 May 2010, **SK-01A** received on 6 May 2010, **06_024_004 B 1:1000** received on 18 November 2010, **06_024_003 C 1:500** received on 18 November 2010, **06 024 007B** received on 26 November 2010, **06 024 009B** received on 26 November 2010,

and in accordance with any other conditions imposed by this planning permission.

Reason: To ensure that the development is carried out in accordance with the details considered by the Local Planning Authority.

1 **INFORMATIVE:** The applicant is advised that the off site works in the form of passing places along Roberts Lane will need to be constructed under a section 278 of the Highways Act legal agreement. This agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 8 weeks is required to draw up the agreement following the receipt by the Highway Authority of a completed Section 278 application form.

REASONS FOR APPROVAL

Having regard to the existing development in the area, the relevant provisions of the Development Plan, the written report of the officers and the officer's verbal update at the Planning Committee meeting, and giving appropriate weight to all other material considerations, the Planning Committee considered that, on balance and subject to the conditions of this approval, the proposed development would not significantly affect the character or appearance of the area or the residential amenity of neighbouring occupiers.

For full details of the Council's reasons for allowing the development including the relevant Development Plan policies, please see the officer's report which is available on the Council's Website or at the Council offices.

YOUR ATTENTION IS DRAWN TO:

1. NOTES 1 – 4 ON THE ATTACHED LEAFLET

2. The applicant is advised that the Government has introduced fees for dealing with requests for confirmation of compliance with planning conditions. If this Decision Notice includes conditions that require the submission of details for the written approval of the Local Planning Authority, then you must formally apply to the Local Planning Authority to discharge the condition(s). Such requests can be made by letter or by application form. Forms are available on the Council's website, together with details of the fee. This fee is payable per new request and not per condition. Requests made without the appropriate fee will not be validated and will therefore not be answered, until the correct fee is paid. The fees are £85 per request, or £25 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse.

Please be aware that pre-commencement conditions must be discharged prior to works starting on site. Failure to comply with the requirements of such conditions may mean that the planning permission itself cannot be implemented.

3. This permission does not operate for the purpose of the Building Regulations or exempt you from obtaining any approval which may be required under those Regulations or compliance with any other statutory requirements. For advice please telephone 01494 732249.